



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SURW13-00005 2604 Elm Street Vacation  
**Application Type:** Right-of-Way Vacation  
**CPC Hearing Date:** March 21, 2013

**Staff Planner:** Nelson Ortiz, 915-541-4931, [OrtizNX@elpasotexas.gov](mailto:OrtizNX@elpasotexas.gov)  
**Location:** 2604 Elm Street  
**Acreage:** 0.016 Acre  
**Rep District:** 2

**Existing Use:** Unimproved right-of-way  
**Existing Zoning:** R-5 (Residential)

**Property Owner:** City of El Paso  
**Applicant:** Blanca V. Duarte  
**Representative:** City of El Paso

### **SURROUNDING ZONING AND LAND USE**

**North:** R-5 (Residential)/ Single-family Development  
**South:** R-4 (Residential)/ Single-family Development  
**East:** R-5 (Apartment)/ Single-family Development  
**West:** R-5 (Residential)/ Single-family Development

**THE PLAN FOR EL PASO DESIGNATION:** G-2 Traditional Neighborhood (Walkable)

### **APPLICATION DESCRIPTION**

This is a city-initiated application to vacate a 12' wide portion of an unimproved portion of Elm Street right-of-way. All properties (4) abutting the unimproved right-of-way have improvements that encroach into the right-of-way. The properties are between Nashville and Memphis and abut the easterly Elm Street right-of-way line. Staff will be applying the Resolution adopted by City Council which allows the City to convey property for 10% of the appraised market value as this request meets the criteria.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 5, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the vacation. Staff has received three phone calls inquiring about the details of the project.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of 2604 Elm Street Vacations subject to the following conditions and requirements:

**Planning Division Recommendation:**  
**Approval.**

**City Development-Land Development:**

We have reviewed subject plan recommend Approval; No objections.

**Planning - Transportation:**

No objections.

**El Paso Water Utilities - PSB:**

We have reviewed the above referenced street vacation request and provide the following comments:

1. The El Paso Water Utilities does not object to the proposed street vacation. There are no existing water mains, sanitary sewer mains or appurtenances within the portion of Elm Street to be vacated.

**Parks and Recreation:**

We have reviewed **2604 Elm Street**, a Street vacation survey map and offer “No” objections to this proposed street vacation request.

**El Paso Fire Department:**

No comments received.

**El Paso Electric Company:**

El Paso Electric has no objection to the vacation of the street r-o-w of Elm Street as described on the 4 surveys by Brock & Bustillos, Inc. EPE has no facilities in the area to be vacated. Our facilities are in the alley.

**Sun Metro:**

No comments received.

**911:**

No comments received.

**Texas Gas Company:**

No comments received.

**El Paso Independent School District:**

No comments received.

**Attachments**

1. Location map
2. Aerial map
3. Survey
4. Application

ATTACHMENT 1

## 2604 ELM STREET VACATION



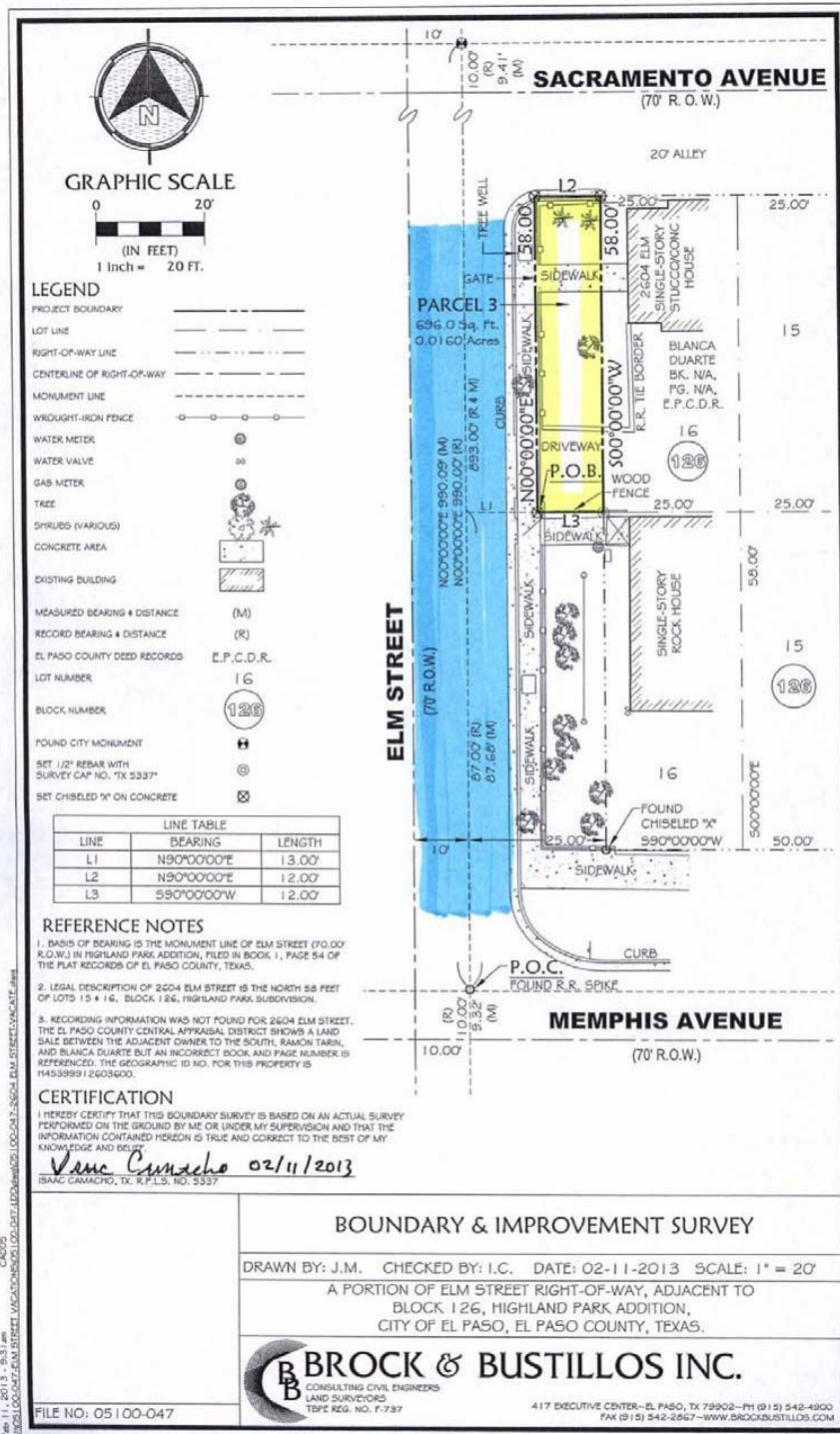
ATTACHMENT 2

2604 ELM STREET VACATION





# ATTACHMENT 3



## ATTACHMENT 4



CITY OF EL PASO, TEXAS  
APPLICATION FOR VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY

Date: 1/9/13 File No. SURWB-00005  
SURWB

1. APPLICANTS NAME Blanca V. Duarte  
ADDRESS 2604 Elm St. ZIP CODE 79930 TELEPHONE (915) 329-8867
2. Request is hereby made to vacate the following: (check one)  
Street ☒ Alley ☐ Easement ☐ Other ☐  
Street Name(s) ELM ST Subdivision Name THIRD AMENDED MAP OF HIGHLAND PARK ADDITION  
Abutting Blocks \_\_\_\_\_ Abutting Lots \_\_\_\_\_
3. Reason for vacation request: FIX PROPERTY/ROW LINE
4. Surface Improvements located in subject property to be vacated:  
None ☐ Paving ☐ Curb & Gutter ☐ Power Lines/Poles ☐ Fences/Walls ☐ Structures ☐ Other ☐
5. Underground Improvements located in the existing rights-of-way:  
None ☐ Telephone ☐ Electric ☐ Gas ☐ Water ☐ Sewer ☐ Storm Drain ☐ Other ☐
6. Future use of the vacated right-of-way:  
Yards ☐ Parking ☐ Expand Building Area ☐ Replat with abutting Land ☐ Other ☐
7. Related Applications which are pending (give name or file number):  
Zoning ☐ Board of Adjustment ☐ Subdivision ☐ Building Permits ☐ Other ☐
8. Signatures: All owners of properties which abut the property to be vacated must appear below with an adequate legal description of the properties they own (use additional paper if necessary).

Signature	Legal Description	Telephone
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The undersigned Owner/Applicant/Agent understands that the processing of this Application will be handled in accordance with the procedure for Requesting Vacations and that no action on processing will be taken without payment of the non-refundable processing fee. It is further understood that acceptance of this application and fee in no way obligates the City to grant the Vacation. I/We further understand that the fee, if the Vacation is granted will be determined by the City of El Paso and a Certified or Cashier's Check must be presented before the request will be recommended for Council action.

The undersigned acknowledges that he or she is authorized to do so, and upon the City's request will provide evidence satisfactory to the City confirming these representations.

The granting of a vacation request shall not be construed to be a waiver of or an approval of any violation of any of the provisions of any applicable City ordinances.

CASHIER'S VALIDATION  
FEE: \$966.00

OWNER SIGNATURE

REPRESENTATIVE

Blanca Duarte  
(915) 329-8867

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.